

Agilent Ref: 10981612-2
United States Application Serial No. 09/997,564

REMARKS

In view of the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 18-20 and 28-30 and 34-35, the only claims pending and currently under examination in this application.

The Examiner is thanked for the interview held on October 27, 2004. During the interview, the above amendments were discussed. The Examiner indicated that these amendments would require further search and consideration, but would appear to overcome the present rejections.

Formal Matters

Claims 18 and 20 have been amended to specify that a solvent layer is present on the substrate surface and a portion of the surface is protected by a protective bubble. Support for this amendment is found, for example, at paragraphs 37, 39 and 40 of the published application. As the above amendments introduce no new matter to the application, their entry is respectfully requested.

Rejection under 35 U.S.C. § 112(2nd paragraph)

The Examiner has rejected 18 to 20 and 28 to 30 under 35 U.S.C. §112, 2nd paragraph for the asserted reason that the phrase "selectively protected from reaction by a protective bubble" is vague and indefinite. It is believed that, in view of the above amendments, this rejection may be withdrawn.

In addition, a rejection was made to Claims 31 and 35. In view of the cancellation of Claims 31 and 32, and the amendment of Claim 34 to depend on Claim 20, this rejection may be withdrawn.

Rejection under 35 U.S.C. § 102(b)

Claims 18-20 and 28-30 have been rejected under 35 U.C.S. §102(b) as allegedly being anticipated by Ribi et al. (US Patent No. 5,491,097). In view of the amendments to the claims, this rejection is respectfully traversed.

Agilent Ref: 10981612-2
United States Application Serial No. 09/997,564

The claims have been amended to recite the presence of a solvent layer on the substrate surface and that at least a portion on the substrate surface is selectively protected from reactive agents in the solvent layer by a protective bubble. Nowhere does Ribí et al. disclose a substrate having a surface and solvent layer thereon where a region of the surface is selectively protected from the solvent layer by a protective bubble. Accordingly, since the cited reference does not disclose each and every limitation of the present invention, it fails to anticipate the claims.

Therefore, the rejection of Claims 18-20 and 28-30 under 35 U.C.S. §102(b) over Ribí et al. (US Patent No. 5,491,097) may be withdrawn.

Claims 18-20 and 28-30 have been rejected under 35 U.C.S. §102(b) as allegedly being anticipated by Heller et al. (US Patent No. 5,605,662). In view of the amendments to the claims, this rejection is respectfully traversed.

The claims have been amended to recite the presence of a solvent layer on the substrate surface and that at least a portion on the substrate surface is selectively protected from reactive agents in the solvent layer by a protective bubble. Nowhere does Heller et al. disclose a substrate having a surface and solvent layer thereon where a region of the surface is selectively protected from the solvent layer by a protective bubble. Accordingly, since the cited reference does not disclose each and every limitation of the present invention, it fails to anticipate the claims.

Therefore, the rejection of Claims 18-20 and 28-30 under 35 U.C.S. §102(b) over Heller et al. (US Patent No. 5,605,662) may be withdrawn.

Claims 18-20 and 28-30 have been rejected under 35 U.C.S. §102(b) as allegedly being anticipated by Hollis et al. (US Patent No. 5,653,939). In view of the amendments to the claims, this rejection is respectfully traversed.

Agilent Ref: 10981612-2
United States Application Serial No. 09/997,564

The claims have been amended to recite the presence of a solvent layer on the substrate surface and that at least a portion on the substrate surface is selectively protected from reactive agents in the solvent layer by a protective bubble. Nowhere does Hollis et al. disclose a substrate having a surface and solvent layer thereon where a region of the surface is selectively protected from the solvent layer by a protective bubble. Accordingly, since the cited reference does not disclose each and every limitation of the present invention, it fails to anticipate the claims.

Therefore, the rejection of Claims 18-20 and 28-30 under 35 U.C.S. §102(b) over Hollis et al. (US Patent No. 5,653,939) may be withdrawn.

Next, Claims 31-35 have been rejected under 35 U.C.S. §102(b) or, in the alternatively, under 35 U.C.S. §103(a) over Ribi. In view of the cancellation of Claims 31 and 32, and the amendment making Claim 34 dependent on Claim 20, this rejection may be withdrawn.

Next, Claims 31-35 have been rejected under 35 U.C.S. §102(b) or, in the alternatively, under 35 U.C.S. §103(a) over Heller. In view of the cancellation of Claims 31 and 32, and the amendment making Claim 34 dependent on Claim 20, this rejection may be withdrawn.

Next, Claims 31-35 have been rejected under 35 U.C.S. §102(b) or, in the alternatively, under 35 U.C.S. §103(a) over Hollis. In view of the cancellation of Claims 31 and 32, and the amendment making Claim 34 dependent on Claim 20, this rejection may be withdrawn.

Finally, Claims 31 and 32 have been rejected under the judicially created doctrine of obviousness type double patenting over U.S. Patent No. 6,346,423. In view of the cancellation of Claims 31 and 32, this rejection may be withdrawn.

Agilent Ref: 10981612-2
United States Application Serial No. 09/997,564

Conclusion

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: November 3, 2004

By: 

Bret E. Field
Registration No. 37,620

F:\document\agil\006DIV (10981612-2)\10981612-2 response to 8-10-2004 office action.DOC